THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 21435 of 1997

Dated: 05-12-2006

Between:

Mohd. Kaleemullah

..... PETITIONER

AND

The Andhra Pradesh State Wakf Board,
Rep., by Secretary, Hyderabad and another.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 21435 of 1997

O R D E R:

This writ petition is filed questioning the order passed by the first respondent dated 03-06-1997 under which the second respondent herein was appointed as Mutawalli of the Wakf in question under Section 42 of the Wakf Act, 1995 (for short 'the Act').

This Court, while directing Rule Nisi, by order, dated 18-09-1997, granted interim suspension of the order impugned. The said order is in operation through out and the petitioner states that he is being continued as Mutawalli as on today.

Though the petitioner raised various grounds assailing the impugned order, since admittedly under Section 83 of the Act, an alternative remedy is available before the Tribunal constituted under the Act, I am not inclined to express any opinion on merits of the case.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to work out the alternative remedy before the Tribunal constituted under the Act. However, having regard to the interim order of suspension granted by this Court long back on 18-09-1997, it is made clear that the impugned order dated 03-06-1997 shall not be given effect to for a period of eight weeks from today.

G. ROHINI, J

Dated: 05-12-2006

Note :Issue C.C. in three days.

B/o

KLP